

Pro Se General Complaint for a Civil Case (Rev. 10/16)

**United States District Court**  
**for the**  
**NORTHERN DISTRICT OF ALABAMA**

FILED

2018 NOV 15 A 9:32

U.S. DISTRICT COURT  
N.D. OF ALABAMA

Dorothy Guerrier

**Plaintiff**

(Write your full name. No more than one plaintiff may be named in a pro se complaint)

**V.**

Midland Funding LLC, Law Offices Of Zarzaur & Schwartz, P.C., Stephanie Bruemmer, Kristin Juliana Klose, Credit One, Credit One Bank N.A., (CEBA), Credit One Financial, Robert DeJong, Sherman Financial Group, Midland Credit Management Inc., (MCM) AKA Sherman Originator III LLC, Encore Capital Group, Atlantic Credit & Finance, Christi Weber, Vicki Scott, Rusty Kendall, Jon Mazzoli, First National Bank of Marin (FNB), Credit One, Chip Ganassi Racing, Jamie McMurray, Kyle Larson, Target, Monster Energy Cup, NASCAR, Xfinity (Series), National Hockey League, Vegas Golden Knights, MHC Receivables LLC, Limestone Asset Management LLC, MGIC Investment Corp., Foreign Limited Liability Company, CSC Services Of Nevada, Inc., Mhc Receivables, LLC., All Individuals As Well As Companies Midland Has Contracted with To Call Alleged Debtors Everyday Including Sundays), Brett Hildebrand, Resurgent Capital Services L.P. (Resurgent), LNVF Funding, Portfolio Services Operations For Credit One, Ben Louis Zarzaur, David Chip Schwartz AKA David A. Schwartz, Wendy Zarzaur Johnston, Naomi Anne Cohen Ivker, Sandra Cooper Simpson, , Greene Hampton Smith III, Martin Brent Yarborough, Ben L. Zarzaur AKA Ben Louis Zarzaur, Paige F. Draper, Martin Brent Yarborough AKA Brent Yarborough, Services Operations for Credit One Bank, N.A., Allan J. Shutt, Lauren Kidd, Anna Hamilton, Asset Acceptance Capital, Amy E. Dowdey, et al.,

**Defendant(s)**

(Write the full name of each defendant who is being sued. If the names of all defendants cannot fit in the space above or on page 2, please write "see attached" in the space and attach an additional page with the full list of names)

5:18-CV-1886-LCB

Case No.: Lower Court: SM 2018 903426 00  
(to be filled in by the Clerk's Office)JURY TRIAL ☒ Yes ☐ NoMOTION FOR REMOVAL/CLASS ACTION/COMPLAINT/  
CIVIL RIGHTS VIOLATIONS/ FAIR CREDIT VIOLATIONS**COMPLAINT FOR A CIVIL CASE/MOTION FOR REMOVAL FROM LOWER COURT****I. The Parties to This Complaint****A. The Plaintiff**

Name

Dorothy Guerrier

Street Address

9157 Wall Triana Highway, # 373

City and County

Harvest, Madison

State and Zip Code

Alabama 35749

Telephone Number

754 300-6732

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization or a corporation. If you are suing an individual in his/her official capacity, include the person's job or title. Attach additional pages if needed.

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Defendant No. 1

Name

Zarzur & Schwartz, P.C et al.,

Job or Title

Counsels for Above Scribed Defendants Personally and Congruently

Street Address

2209 Morris Avenue

City and County

Birmingham Jefferson 35203

State and Zip Code

Alabama 35203

Defendant No. 2

Name

Job or Title

Street Address

City and County

State and Zip Code

Defendant No. 3

Name

Job or Title

Street Address

City and County

State and Zip Code

Defendant No. 4

Name

Job or Title

Street Address

City and County

State and Zip Code

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Defendant No. 5

Name \_\_\_\_\_

Job or Title \_\_\_\_\_

Street Address \_\_\_\_\_

City and County \_\_\_\_\_

State and Zip Code \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only these types of cases can be heard in federal court: a dispute that involves a right in the United States Constitution or a federal law (as opposed to a state law or local ordinance); a dispute that involves the United States of America (or any of its agencies, officers or employees in their official capacities) as a party; and a dispute between citizens of different states with an amount in controversy that is more than \$75,000.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Constitutional or Federal Question ☐ USA Defendant ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction is USA defendant**

The Defendant(s) \_\_\_\_\_

Name of Agency \_\_\_\_\_

Address \_\_\_\_\_

**B. If the Basis for Jurisdiction is a Constitutional or Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Midland Funding LLC has calls primarily from India with callers using "Alias" made to Plaintiff, Dorothy Guerrier on Sundays, during the week from all over the world. These back to back harassing calls come in late at night amounting to adjunct, frivolous and injurious Harassment. I have no contractual relationship with Midland Funding LLC or any of the credit defenders except Credit One which I have paid three times over even though the card was subjected to fraud, stolen and compromised. Midland Funding LLC and the other Defendants are engaging in Eugenics and has taken countless victims like myself to court when they have no legal basis. It is against social policy for Midland Funding LLC et al like them to continue to criminally laundry money via unfair credit practices by engaging in fraudulent practices such as Robo Calling, "Robo-Signing" of fraudulent Affidavits, taking litigants to court although the litigant was never served, and the like. This equates to conspiracy with thousands of judges such as Schuyler Harris Richardson who knowingly allow, encourage and participate with such bad actors along with judges, lawyers, clerks, notaries, and others. They all lie in court under oath, steal, commingle, disobey Anti-Trust Laws and conspire primarily against melanated people. Midland Funding LLC has several shell companies, holding companies and affiliates who are behaving in organized crime against victims who were give a small amount of credit with large fees and then absorbent fees were added making re-payment almost impossible. Midland Funding LLC is engaging in deceptive credit practices as a Third Party Collection company with the purchase of aged accounts that time has run out on. These illegal practices amount to an underworld market dealings, conspiracy, discrimination, intimidation, loss of freedom of speech rights especially in biased courts such as judges such as Schuyler Harris Richardson who won't even allow the defendants to speak.

**C. If the Basis for Jurisdiction is Diversity of Citizenship**

1. The Plaintiff

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the  
State of *(name)* \_\_\_\_\_.

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* \_\_\_\_\_, is a citizen of the  
State of *(name)* Varying States \_\_\_\_\_. Or is a citizen of  
*(foreign nation)* \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, *(name)* \_\_\_\_\_, is incorporated under  
the laws of the State of *(name)* \_\_\_\_\_, and has its  
principal place of business in the State of *(name)* \_\_\_\_\_.

Or is incorporated under the laws of *(foreign nation)*  
\_\_\_\_\_, and has its principal place of  
business in *(name)* \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional  
page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy – the amount the plaintiff claims the defendant  
owes or the amount that is at state – is more than \$75,000, not counting  
interest and costs of court, because: *(explain)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**III. Statement of Claim**

Write a short and plain statement of the claim. Briefly state the facts showing that the plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Among other Constitutional violations such as conspiracy, Civil Rights, Freedom Of Speech violations as well as violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 (FCRA) and any other applicable Civil Rights violation cases as well., with deprave, biased, and criminal intent, Midland Funding LLC. et al., acted with malice and aforethought in intentionally discriminating against Dorothy Guerrier, Plaintiff. Such violations have caused great anxiety, heart palpitations, and headaches. Midland Funding LLC., et al did not render to the lower court accurate, fair, and impartial consumer information for my outdated Credit One account that I paid years ago. Midland Funding LLC., has engaged in willful, inaccurate, negligent and discriminating information to the court and to the Credit Bureaus as well.

#### **IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks for the court to order. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive (punishment) or exemplary (warning or deterrent) damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Midland Funding LLC., has previously been charged with inappropriate Fair Credit Practices. Yet, Midland Funding LLC., is still engaging in bad acts. As a result, Midland Funding LLC., must be liquidated along with its affiliates, lawyers, judges et al after paying a class action payment of one hundred million (\$100,000,000.00).

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**V. Certification and Closing**

Under Rule 11 of the Federal Rules of Civil Procedure, by signing below, I certify to the best of my knowledge, information, and belief that this complaint; (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a non-frivolous argument for extending, modifying or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in dismissal of my case.

First Name Dorothy Last Name Guerrier

Mailing Address 9157 Wall Triana Highway, #373

City and State Harvest, Alabama Zip Code 35749

Telephone Number 754300-6732

E-mail Address 001student@gmail.com lmcordlawschoolstudent@gmail.com

Signature of plaintiff \_\_\_\_\_

Date signed 11.15.18

**\*\*OPTIONAL\*\***

You may request to receive electronic notifications. You may not file documents or communicate with the court electronically. All documents must be submitted in paper and you must serve the defendants.

Type of personal computer and related software/equipment required:

- Personal computer running a standard platform such as Windows or Mac OSX
- Internet access (high speed is recommended)
- A Web browser (Microsoft Internet Explorer 7.0 or 6.0 or Mozilla Firefox 2 or 1.5)
- Adobe Acrobat Reader is needed for viewing e-filed documents
- PACER account – Information and registration at

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- You will receive one “free” look of the document. Documents must be viewed within 14 days. You must only single-click on the hyperlink to view.

**Note: You must promptly notice the Clerk’s Office, in writing, if there is a change in your designated e-mail address. Failure to update your email address does not excuse failures to appear or timely respond.**

E-mail type:

- ☒ HTML – Recommended for most e-mail clients
- ☐ Plain Text – Recommended for e-mail accounts unable to process HTML e-mail

Conditioned upon the sufficiency of your electronic equipment which the court will test and verify receipt, you will be allowed to receive electronic notifications.

By submitting this request , the undersigned consents to electronic service and waives the right to personal service and service by first class mail pursuant to Rule 5(b)(2) of the Federal Rules of Civil Procedure, except with regard to service of a summons and complaint.

When a filing is entered on the case docket, a party who is registered for electronic noticing will receive a Notice of Electronic Filing in his/her designated e-mail account. The Notice will allow one free look at the document, and any attached .pdf may be printed or saved.

**IMPORTANT:**

Messages sent to Yahoo or AOL accounts are frequently found in the spam folder until the court is added to your address book.

E-mail address designated for noticing:

oolstudent@g  
mail.com

ConcordLawSchoolStudent@gmail.com

Participant signature: \_\_\_\_\_

Date: 11.15.18